

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for Secured Creditor

U.S. Bank National Association, as Trustee, for
Structured Asset Mortgage Investments II Inc., Prime
Mortgage Trust, Certificates, Series 2005-4

In Re:

Thomas Sabo,

Debtor.



Order Filed on December 15, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 18-16700 MBK

Adv. No.:

Hearing Date: 11/17/2020 @ 9:00 a.m.

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS & RESOLVING CERTIFICATION OF
DEFAULT**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: December 15, 2020


Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Thomas Sabo

Case No: 18-16700 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING CERTIFICATION OF DEFAULT

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, U.S. Bank National Association, as Trustee, for Structured Asset Mortgage Investments II Inc., Prime Mortgage Trust, Certificates, Series 2005-4, Denise Carlon, Esq. appearing, upon a certification of default as to real property located at 3419 Quaker St, Wall, NJ, 07719, and it appearing that notice of said certification was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Daniel E. Straffi, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of November 12, 2020 Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due March 2020 through November 2020 for a total post-petition default of \$25,468.30:

- 1 @ \$2,345.69 (March 2020)
- 1 @ \$2,329.43 (April 2020)
- 1 @ \$2,444.70 (May 2020)
- 6 @ \$2,533.66 (June – November 2020)
- 4 Agreed Order payments @ \$1,068.60
- 1 Agreed Order payment @ \$1,068.62
- Less suspense balance of \$2,196.18

It is **ORDERED, ADJUDGED and DECREED** that the debtor will make a lump sum payment of \$7,500.00 immediately; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$17,968.30 will be paid by Debtor remitting \$2,994.71 for per month for five months and \$2,994.75 for one month in addition to the regular monthly mortgage payment, which additional payments shall begin on September 1, 2020 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume December 1, 2020, directly to Secured Creditor's servicer, SPS, Inc. P.O. Box 65250, Salt Lake City UT 84165-0250 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter

13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

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It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs up to the sum of \$350.00 in an amount to be included in a post-petition fee notice for attorneys' fees, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Certification of Default is hereby resolved.